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Telephone Number

| | |
|------------------------------------|--------------------------|
| Registration Number, if applicable | |
| W.E. Case No. | NS03-006 |
| Serial No.: | 10/670,540 |
| Filed: | 9/24/03 |
| Title: | HEAD ASSEMBLY |
| Inventor: | Alexander Harkness et al |

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Papers Submitted: Rule 146 Requirement for Election of Species
(a total of 2 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No. 5475
Examiner: Keith, Jack W.

Art Unit: 3641

Applicants: Alexander Harkness et al.

Serial No.: 10/670,540

Filed: September 24, 2003

For: HEAD ASSEMBLY

Applicant's Docket No. NSD.2003-006

Honorable Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

RULE 146 REQUIREMENT FOR ELECTION OF SPECIES

In a communication mailed pursuant to 35 USC 121, the Examiner required the Applicants to elect one of two disclosed species, i.e., either the embodiment of Figures 1-3 or the embodiment of Figure 4, for continued prosecution on the merits. A shortened period for response was set to expire one (1) month from the mailing date of the Examiner's communication.

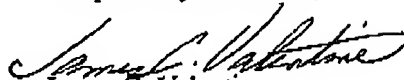
In response thereto, the Applicants hereby elect the embodiment of Figures 1-3. Originally presented Claims 1-6 and 9 read on this species.

The Applicants respectfully request that the requirement be reconsidered. The Applicants submit that an examination of the two species in the prosecution of one application will not require substantially more time and resources than will an examination of one species of the invention.

The Commissioner is authorized to charge any additional fees required by 37 CFR 1.16 or 37

CFR 1.17 as a result of this Response to Deposit Account No. 50-0947.

Respectfully submitted,



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Date: April 2, 2005

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